

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JASON C. COLLINS,

Petitioner,

v.

TRATE, WARDEN,

Respondent.

Case No. 1:22-CV-01114-HBK (HC)

ORDER SEALING DOCUMENTS AS SET
FORTH IN GOVERNMENT'S NOTICE

(Doc. No. 11)

Before the Court is Respondent's Notice of its Request to Seal Appendix Pages 121-210 of Respondent's Motion to Dismiss and Response to Petitioner's 2241 Petition. (Doc. No. 11). Petitioner Jason C. Collins, a federal prisoner proceeding *pro se*, has pending a petition for writ of habeas corpus under 28 U.S.C. § 2241. (Doc. No. 1).

Pursuant to Local Rule 141(b), Respondent requests to file under seal certain documents contained in the Appendix in support of its Motion to Dismiss. Respondent notes these documents include the presentence investigation report and sentencing transcript pertaining to Petitioner and are not otherwise publicly available. Respondents advises the sentencing transcript will be mailed to Petitioner, and the presentence investigation report is available "via his BOP central file." (Doc. No. 11 at 1 n.1). The Court finds that, for the reasons stated in Respondent's Notice and its Request, sealing both the Respondent's Request and Appendix serves a compelling interest. *See Kamakana v. City and County of Honolulu*, 447 F. 3d 1172, 1179-1180 (9th Cir.

2006); *Foltz v. State Farm Mut. Auto. Ins. Co.*, 331 F.3d 1122, 1135 (9th Cir. 2003).

Accordingly, it is **ORDERED**:

The Court GRANTS Respondent's Request incorporated in its Notice (Doc. No. 11) and directs Respondent to provide an electronic copy of the document to be sealed to the Clerk of Court, at which time the Clerk of Court will file the documents under seal. *See* Local Rule 141(e)(2)(i).

Dated: November 7, 2022


HELENA M. BARCH-KUCHTA
UNITED STATES MAGISTRATE JUDGE